

Practitioner's Docket No. 49165

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: J. Wengel et al.

Application No.: 09/152,059

Group No.: 1656

Filed: September 11, 1998

Examiner: J. Riley

For: OLIGONUCLEOTIDE ANALOGUES

Assistant Commissioner for Patents
Washington, D.C. 20231

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is
☐ a small entity. A statement:
☐ is attached.
☐ was already filed.
☒ other than a small entity.

EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) -- If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. SECTION 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☐ deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

FACSIMILE

- ☐ transmitted by facsimile to the Patent and Trademark Office (703) ____-____.

Date:

Signature

(type or print name of person certifying)

of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

NOTE: See 37 C.F.R. Section 1.645 for extensions of time in interference proceedings, and 37 C.F.R. Section 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply.

(complete (a) or (b), as applicable)

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. Section 1.136 (fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input checked="" type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input type="checkbox"/>	two months	\$ 400.00	\$ 200.00
<input type="checkbox"/>	three months	\$ 920.00	\$ 460.00
<input type="checkbox"/>	four months	\$ 1,440.00	\$ 720.00

Fee: \$ 110.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for _____ months has already been secured. The fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below:

						OTHER THAN A			
(Col.1)		(Col. 2)		(Col. 3) SMALL ENTITY		SMALL ENTITY			
Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra	Rate	Addit. Fee	OR	Rate	Addit. Fee
Total	*	Minus	**	=	x \$9 =	\$		x \$18 =	\$
Indep.	*	Minus	***	=	x \$42 =	\$		x \$84 =	\$
[] First Presentation of Multiple Dependent Claim					+ \$140 =	\$		+ \$280 =	\$
					Total Addit. Fee	\$____	OR	Total Addit. Fee	\$____

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3,

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: *"After final rejection or action (Section 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. Section 1.116(a) (emphasis added).*

(complete (c) or (d), as applicable)

(c) [X] No additional fee for claims is required.

OR

(d) [] Total additional fee for claims required \$ _____.

FEE PAYMENT

5. [X] Attached is a check in the sum of \$ 110.00.

[] Charge Account No. _____ the sum of \$ _____.
A duplicate of this transmittal is attached.

FEE DEFICIENCY

NOTE: *If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

6. [X] If any additional extension and/or fee is required, charge Account No. 04-1105.

AND/OR

- [X] If any additional fee for claims is required, charge Account No. 04-1105.



SIGNATURE OF PRACTITIONER

Reg. No. 33,860

Peter E. Corless

(type or print name of practitioner)

EDWARDS & ANGELL, LLP

P.O. Box 9169

P.O. Address

Customer No. 21874

Boston, MA 02209

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: J. Wengel et al.

SERIAL NO.: 09/152,059

GROUP: 1656

FILED: September 11, 1998

EXAMINER: J. Riley

FOR: OLIGONUCLEOTIDE ANALOGUES

Honorable Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

AMENDMENT

Applicants are in receipt of the Office Action dated September 10, 2001. Please amend the application as follows.

IN THE SPECIFICATION

At page 79, please replace the sentence that start at line 26 and ends at line 30 with:

G¹
-LNA oligomers (formula Z of Figure 2) AL16 (5'-d(**TGTGTGAAATTGTTAT**)-3' (SEQ ID NO: 1); LNA nucleotides in bold) and AL17 (5'-d(**ATAAAGTGTAAG**)-3' (SEQ ID NO:2); LNA nucleotides in bold) were successfully labeled with fluorescein using the FluoroAmp T4 Kinase Green Oligonucleotide Labeling System as described by the manufacturer (Promega).-

At page 86, please replace the sentence starting at line 12 and end at line 17 with:

G²
-20 pmoles of each primer (FP2: 5' - GGTGGTTTGTTTG-3' (SEQ ID NO:3); DNA probe), (AL2: 5'-GGTGGTTTGTTTG-3' (SEQ ID NO:4), LNA nucleosides in bold) and (AL3:

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